

Protection Order

Case No.

Court _____ Judicial District

County State Idaho**PETITIONER [] PROTECTED PERSON**

First Middle Last

☐ And ☐ Or on behalf of ☐ minor family member(s)
(list name and DOB)**PETITIONER/PROTECTED PERSON IDENTIFIERS**

Date of Birth of Petitioner

☐ other Protected Person(s): (list name and DOB)**RESPONDENT**

First Middle Last

Respondent's Address

Relationship to Protected person:

- ☐ spouse;
☐ former spouse;
☐ living together;
☐ previously lived together;
☐ child in common;
☐ parent
☐ related by blood, adoption or marriage;
☐ are in, or ☐ have been in, a dating relationship.

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #		STATE		

CAUTION: ☐ Weapon Alleged to be Involved.

The court has jurisdiction over the parties and subject matter, the Respondent has been provided with reasonable notice and opportunity to be heard.

There is an immediate and present danger of domestic violence to the Protected Person(s).

The terms of this order shall be effective until , at 11:59 P.M. /unless terminated earlier by another court order.

WARNINGS: This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

Violation of any provision of this order by the respondent or a person who is restrained by this order, which could include the protected person, after actual notice of its terms, is a misdemeanor and may result in arrest and sentencing for up to one (1) year in jail and a five thousand dollar (\$5,000) fine, even if the protected person consents to the violation.

Only the Court can change this order.

Petitioner Appeared: ☐ Yes ☐ No Represented by: _____

Respondent Appeared: ☐ Yes ☐ No Represented by: _____

- ☐ The Respondent agreed to entry of a protection order.
- ☐ The Court found, after a hearing, that a protection order should be issued.
- ☐ The Court finds that the original Petitioner is the abuser and the original Respondent is the victim of domestic violence. The original Petitioner shall be the Respondent and the original Respondent shall be the Petitioner.

THE COURT ORDERS:

1. **Personal Conduct Order**. Respondent shall not harass, annoy, disturb the peace of, telephone, contact, or otherwise communicate with (either directly or indirectly, in person or through any other person):

[01]

- ☐ The Protected Person
- ☐ The minor child/ren residing in the Protected Person's household.

To further the protection of the Protected Person no Protected Person shall contact Respondent, either directly or indirectly.

[05]

Exceptions are: to meet with or through attorneys or during legal proceedings

- ☐ contact by telephone to arrange visitation of the child/ren
- ☐ contact by telephone between _____ .m. and _____ .m. on _____ for the following purposes: _____
- ☐ to participate in counseling/mediation, if Court ordered
- ☐ to respond to an emergency involving the child/ren
- ☐ Other: _____

2. **Stay-Away Order**. Respondent shall not, **EVEN IF INVITED BY THE PROTECTED PERSON**,

- ☐ go to: ☐ go within _____ feet of:
 - ☐ Protected Person
 - ☐ Protected Person's residence at _____
- ☐ Protected Person's school campus or work place at _____
- ☐ Protected Person's child/ren's school campus or work place at _____
- ☐ Other: _____

[04]

3. **Move-out Order.** ☐ Respondent is ordered to move from the residence at _____
[03] _____ within _____ hours of the time you are
served with this order and take from the residence only items needed for employment and necessary
personal effects (at peace officer's discretion).

4. **Child custody.** Custody of the minor child/ren is awarded
☐ as provided in the existing child custody order/divorce decree entered _____
[06] ☐ as follows:

Name of Child (first, middle initial, last)	Birth Date	Sex	Custody Awarded To

☐ Protected Person ☐ Respondent

[09] ☐ shall NOT have the child/ren until further order of the Court

[06] ☐ shall have the child/ren as follows (*list days, times and conditions*): _____

☐ supervised by: _____
☐ neutral drop off/pick up location: _____
☐ child/ren to be transported by: _____

☐ Neither party shall remove the child/ren from _____

5. **Law enforcement assistance.** Peace officers are instructed to enforce this Court order by all
necessary means, including arrest.

Law enforcement officers are ordered to:

☐ Remove the Respondent from the residence at _____. **The time for removal shall be at the
peace officer's discretion,** but no later than _____ hours after service of this order.

☐ Place the Protected Person in possession of the residence at _____

☐ Supervise the removal of ☐ Protected Person's ☐ Respondent's items needed for employment
and necessary personal effects (at peace officer's discretion) from the residence.

6. **Conflicting Orders.**

If any term of another order conflicts with any term of this order you must follow the more restrictive
term.

7. **Change in address.** The parties shall at all times keep the Court informed of their current mailing addresses.

8. **Treatment/Counseling.**

- ☐ Within _____ days of this order, Respondent shall report to _____ and participate and complete all scheduled treatment or counseling. A written report shall be submitted to the Court within _____ days of this order.

9. **Future notices.**

- ☐ Petitioner has waived the right to personal service and agreed that all future notices of hearing may be served by certified mail.
- ☐ Respondent has waived the right to personal service and agreed that all future notices of hearing may be served by certified mail.

10. **Other:** _____

[07]

[08]

11. **Order to clerk.** It is further ordered that the clerk of the court shall forward a copy of this order to the appropriate law enforcement agency for immediate entry into record systems and service upon Respondent, if not previously served; and the clerk shall deliver or mail a copy of this order to the Petitioner.

Date: _____

Signed: _____

Judge

NOTICE:

It is a misdemeanor under Idaho Code § 39-6312 for the respondent, after notice of this order, to violate the provisions of this order. Further, it is a crime under Idaho Code § 8-204 for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. In addition, under Idaho Code §18-304, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the respondent and the petitioner, except such contact as is expressly permitted by the above order.

I have received a copy of this order and advisory notice and warning.

Signed: _____
Petitioner

Date: _____

Signed: _____
Respondent

Date: _____

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.